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May 22, 2018

Ms. Christine Hymes Krug, ESQ  
Special Prosecutor, Public Safety  
Missouri Attorney General  
815 Olive Street, Suite 200  
St. Louis, MO 63101

RE: Haynes v Haynes

Dear Ms. Krug:

I am writing to express my concerns about how this case has progressed and some of the irregularities that I have previously reported. Ms. Haynes knows and has approved the release of this information via HIPPA forms allowing me to communicate with you directly. I am also aware that she has sent you a complete summary of what she has experienced along with my reports over the last few months. I joined this case in August of 2017 after several other professionals were either replaced or withdrew from the process. My motivation is related to the idea that if you see something, you need to say something. If professionals would have spoken up in the Michigan case several women lives could have been protected and the recent disclosures could have been avoided. I do not wish to be one of those professionals. I understand that in small communities there are interlocking directorates and dual relationships that are very hard to avoid, but in this case the both of these issues are really obvious.

I have reviewed the transcript of **M.S.H.'s** testimony and find it very interesting. The questions by the attorney are enlightening in that he obviously doesn't have any idea about sexual abuse. He is getting more excited as he goes as he believes that **M.S.H.** is changing her story. What she is actually doing is telling him about the escalating sexual interaction between her and Mr. Haynes. The process of sexual abuse passes through the following stages:

- Phase I      The development of a special relationship that goes beyond the boundaries of what the non-offending parent would allow,
- Phase II     The perpetrator starts to force their hands of the target, gets them little gifts that are small but unsolicited, and then finds ways to get the target alone more and more,
- Phase III    There is a gradual sexual theme that usually begins with looking, progressing to touching and eventually after several trial closures to sexual interaction including oral sex and intercourse,
- Phase IV    An Act of Disclosure. The disclosure can be either purposeful or accidental. Either one is possible depending on the circumstances. I have interviewed several young girls after a health class who suddenly realized that what was happening was not normal. A purposeful disclosure can occur when a girl decides that she will not allow her little sister to go through what she has experienced with the perpetrator.

**EXHIBIT 38**

Phase V            Regardless of the type of disclosure the next phase is one of repression. There is a sense of denial about the severity of the act and there is a rallying around the perpetrator.

There is a protocol for the investigation of childhood sexual abuse. If it is not followed, it can be very confusing for the investigator and often the conclusion is wrong. The first person that should be interviewed is the victim, followed by the non-offending parent and lastly the perpetrator. If the perpetrator is interviewed first, the investigator will get a denial that will prove hard to manage later as the case progresses.

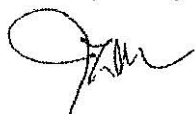
I have noticed that the original investigator was removed by the attorneys after they decided that she was not going to support their conclusions. There has been an unusual number of professionals who have been removed or chose to avoid the process as they were not wanting to be part of the case. There has been one attorney who has insisted that the case remain open even when licensed professionals have recommended something different, including me.

We should move to **M.H.** who is my patient. I believe that she is also a victim of her Father but she is unwilling to disclose to me because of what she has been through and she has watched what her sister has been through with the court process. If she does disclose to me that she has been sexually abused, I am a mandated reporter and will be required to call the Division of Social Services. This will trigger further issues with the case but let me explain to you the bases of my suspicions. First, **M.H.** was bitterly opposed to her Mother returning to their home after her Mother left and went to Moberly. Second, the Court initially placed both **M.H.** and **S.H.** with the Paternal Grandmother. The record indicates that her Father had unsupervised access to her during that entire period. **M.H.** was hospitalized twice after that placement was terminated. I have spoken to her Foster Mother in the last placement who has shared with me her notes of what she says **M.H.** told her about her sexual abuse. Third, the psychological report has two tells, a) the examiner states that **M.H.** is withholding information and b) that when she was disciplined her Father would sit with her to help her deal with what the consequences of her behavior. Her Mother was left to be the "bad person". I believe that **M.H.** may soon disclose because her secret will get too hard to carry and she will need to talk about it with someone. I would like that person to be me as I believe that she can be properly protected.

My biggest concern with this case process is that it has been going on too long and the alleged perpetrator has been out on bond. It is my experience that many perpetrators will have multiply victims before they are actually apprehended. I believe the research will support that the average perpetrator will have as many as 60 victims before apprehension. I once consulted on a case with two police officers who had 106 victims before they were apprehended.

My second concern is the defense strategy as it appears to be to discredit the Mother and keep the pressure on the family to prevent **M.H.** from disclosing her abuse. Apparently winning is more important than protecting the kids. If it is just about keeping the father out of prison then how did so many people decide to compromise their own integrity and did they really think that no one would notice? I do not envy your position because it appears to me that your recommendations may cause some attorneys to be disciplined. I hope you are up for the challenge.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. M.', is written below the text 'Respectfully submitted,'.

This certificate is attached to a 2 page document dated 05/22/2020 entitled Letter to Special Prosecutor Mo. Atty. Gen. C. Krag  
Haynes vs Haynes case 13BL-C100354

## AFFIDAVIT/JURAT

State of Missouri

County of Franklin

I, Jerry L. Marks, PhD., L.C.S.W.

(Name of person making statement)

, certify, swear/affirm before

Jill L. Ruether

that the attached instrument is true and correct.

(Notary Public's name)

Sworn to and subscribed before me this

28<sup>th</sup> day of October

2020

by

Jerry L. Marks  
Jerry L. Marks, PhD., L.C.S.W.

(Year)

Jill L. Ruether  
Notary Public's Signature

Jill L. Ruether  
Notary Public's Name



JILL L. RUETHER  
My Commission Expires  
July 13, 2021  
Franklin County  
Commission #13336573

(Seal)

**Signer's Identity verified by:**

☒ Personally known to me

☐ Identity proven on the oath

☐ Identity proven on the basis of

Name of credible witness

Description of identity verification or other statement